

year transportation reauthorization bill that provides incentives to States to adopt measures to reduce impaired driving and authorizes impaired driving research and development;

Whereas, on December 3, 2015, MADD locations across the United States will honor those individuals killed, injured, or emotionally devastated by drunk and drugged driving and underage drinking with a National Day of Remembrance; and

Whereas the National Day of Remembrance is a chance for the public to come together in communities across the United States and online to show that the victims and survivors of these senseless tragedies are not alone: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the victims of drunk and drugged driving; and

(2) recognizes the consequences of underage drinking on the first annual National Day of Remembrance.

#### S. RES. 328

Mr. UDALL. Mr. President, no family should lose a loved one to a drunk driver. But, sadly, so many families do—every day, every month, every year. It happens in my State. It happens all across our Nation. It is tragic, it is senseless, and it must stop.

Last weekend, according to the Albuquerque Journal, police reported that an “extremely intoxicated” driver ran a red light and smashed into the car of three young people.

Robert Mendez was 27 years old. His brother Sergio Mendez-Aguirre was 23, and their friend Grace Sinfield was 20.

The violence of the collision was so great that their car flipped over. They died early Sunday morning—at the end of the Thanksgiving weekend. The police investigation continues. But this much is certain: A holiday that began in joy—for these families—ended in great sorrow.

Sergio Mendez-Aguirre graduated from the University of New Mexico with honors in chemistry. Robert Mendez was a student at UNM. Grace Sinfield was studying to be a writer.

Our hearts go out to the Mendez and Sinfield families. These young people were just beginning, just starting out in life, and just finding their way.

Robert Mendez’s family remembers how he believed that, “Fear is everyone’s number one enemy. Take chances, make mistakes, and learn from them. After all, we grow from experience. Life is too short to live timidly.”

The Albuquerque Journal reported that Sergio Mendez-Aguirre once asked, “What can make you more happy than making others happy?” His answer was, “Nothing can.”

Grace Sinfield’s family spoke of her great spirit. “She was a true friend who taught us how to love unconditionally; she was the life of every party. She attracted laughter like she was a magnet. Just as important and relevantly, she was always responsible and by proxy made those around her more responsible and better people.”

Three young lives—full of promise—and now over in one terrible moment—

they will be missed by so many in Albuquerque.

Every DWI death is a tragedy—and an unnecessary tragedy. It doesn’t have to happen. But, year after year, for too many families, it does. More than 10,000 people are killed every year, and another 290,000 are injured, all as a result of drunk driving.

Those are horrific numbers, but they are more than just numbers. They are stories of profound loss and should outrage us all. In years past, it was even worse. In 1980, 25,000 people—two and one-half times more people than now—died because of drunk driving—25,000 people, in 1 year.

We are making progress thanks to determined families and law enforcement and thanks to groups like Mothers Against Drunk Driving. I am proud to work with them. But we still have work to do. There are 10,000 families—every year—to remind us—10,000 families in grief, in pain, and all because of drunk driving. No parent should have to grieve a child’s loss on the holidays—or any day.

When I was elected attorney general in New Mexico 25 years ago, we had the highest rate of DWI deaths in the Nation. We were the worst—too many drunk drivers, too many repeat offenders, too many innocent people dying every year.

We pushed for reform. We identified solutions—in law enforcement and in prevention. But there was a lot of push back, a lot of opposition in the State legislature. And then along came a mom named Nadine Milford. Her daughter and granddaughters were killed by a drunk driver on Christmas Eve 1992. It is hard to imagine such a loss.

So we changed New Mexico’s DWI and traffic safety laws. We got it done because of moms like Nadine, because of families and friends who had had enough and would not take no for an answer.

In the early 1990s, my State had up to 500 DWI deaths a year. Last year, it was 166. But that is still 166 too many. We still lose too many innocent lives—young and old alike—in New Mexico and all across our Nation.

I believe new technology will help. That is why I have pushed for the Driver Alcohol Detection System for Safety, or DADSS. This technology is critically important and will make a critical difference. We all know this. The National Highway Traffic Safety Administration knows it. The auto industry knows it. And they are working together to make it happen.

DADSS would be built into new vehicles. It would analyze a driver’s breath or blood alcohol content. It would stop drunk drivers from turning on the engine. If you are drunk, you will not drive, period.

This could save 59,000 lives over 15 years. It could save up to \$343 billion. The highway bill includes continued funding for DADSS research over the next 5 years. I am grateful the con-

ference committee supported this vital technology.

But technology alone is not enough. In the meantime, the message should be loud and clear. Anyone who gets behind the wheel while impaired should not drive.

That is why I also urge passage of a resolution I am submitting—supporting the December 3, 2015, National Day of Remembrance for victims of drunk and drugged driving. We want to say to their families—we have not forgotten them. We remember. We will do all we can to prevent these tragedies.

There are still far too many, far too often. In the time I have been speaking, two more people have been injured in a drunk driving crash. Every hour, another life is taken.

We all have to say—enough is enough. We have to keep saying it—until every single person in this country gets the message: If you drink, don’t drive.

Albuquerque police officer Simon Drobik spoke for all of us—when he said, “Talk to your kids about drinking and driving. Share these tragic stories with them so they understand driving is a big responsibility. If you see your friend or loved one trying to get behind the wheel after drinking STOP THEM. Do the right thing.”

Officer Drobik is right. We all need to do the right thing. Let’s not wait for 10,000 more families to lose their loved ones.

We have to keep up the fight. Nelson Mandela said, “It always seems impossible—until it is done.” We can keep drunk drivers off the road. It is not impossible. We can get it done.

For the sake of all families, for those who grieve now—and for those who may grieve in the future—let’s do all we can. Let’s work together. Let’s stop these senseless tragedies. Let’s get it done.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2891. Mrs. SHAHEEN (for herself, Mr. WYDEN, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table.

SA 2892. Mrs. SHAHEEN (for herself, Mr. WYDEN, Mrs. MURRAY, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2893. Mr. CASEY (for himself, Ms. BALDWIN, Mrs. MURRAY, and Mr. REED) proposed an amendment to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2894. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2895. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2896. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2897. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2898. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2899. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2900. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2901. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2902. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2903. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2904. Mr. ROBERTS submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2905. Mr. ROBERTS submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2906. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2907. Mr. BENNET (for himself and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2908. Mr. MANCHIN (for himself, Mr. TOOMEY, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2909. Mr. MARKEY (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2910. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. REED, Mrs. GILLIBRAND, Mr. SCHUMER, Mr. DURBIN, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MENENDEZ, Ms. WARREN, Mr. MARKEY, Mr. SCHATZ, Ms. HIRONO, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. WARNER, Mr. KAINE, Mr. KING, Ms. MIKULSKI, Mrs. MCCASKILL, Mr. BROWN, Mr. CASEY, Mr. SANDERS, Mrs. MURRAY, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2911. Mr. COONS (for himself, Ms. HIRONO, Mrs. MURRAY, Mr. MERKLEY, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*; which was ordered to lie on the table.

SA 2912. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2913. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2914. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2915. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2916. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2917. Mr. REID submitted an amendment intended to be proposed to amendment SA 2916 submitted by Mr. MCCONNELL to the amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2918. Mr. MURPHY (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2916 submitted by Mr. MCCONNELL to the amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

SA 2919. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2916 submitted by Mr. MCCONNELL to the amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, *supra*.

#### TEXT OF AMENDMENTS

**SA 2891.** Mrs. SHAHEEN (for herself, Mr. WYDEN, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . MENTAL HEALTH AND SUBSTANCE USE PREVENTION AND TREATMENT.**

(a) **APPLICABILITY OF MENTAL HEALTH PARITY AND ADDICTION EQUITY.**—Section 1311(j) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(j)) is amended to read as follows:

“(j) **APPLICABILITY OF MENTAL HEALTH PARITY AND ADDICTION EQUITY.**—

“(1) **IN GENERAL.**—Section 2726 of the Public Health Service Act shall apply to qualified health plans in the same manner and to the same extent as such section applies to health insurance issuers and group health plans.

“(2) **TRANSPARENCY OF CLAIMS DENIAL.**—

“(A) **IN GENERAL.**—The Secretary shall require an Exchange to collect data on the percentage of health insurance claims denied for mental health benefits and the percentage of such claims denied for substance use disorder benefits. Such Exchange shall maintain an Internet website for the publication of claims denial rates for all qualified health plans offering coverage on the exchange.

“(B) **GRANTS TO SUPPORT TRANSPARENCY.**—For purposes of implementing this paragraph, there is authorized to be appropriated, and there is appropriated, \$5,000,000 to enable the Secretary to award grants, contracts, or cooperative agreements to appropriate entities or Exchanges.

“(3) **IMPROVING MENTAL HEALTH AND ADDICTION EQUITY AWARENESS.**—

“(A) **IN GENERAL.**—The Secretary shall award grants, contracts, or cooperative agreements to appropriate entities or Exchanges for the establishment of public education programs to raise awareness about the availability of mental health and substance use disorder benefits within qualified health plans.

“(B) **GRANTS TO SUPPORT PUBLIC EDUCATION.**—For purposes of implementing this paragraph, there is authorized to be appropriated, and there is appropriated, \$30,000,000 to enable the Secretary to award grants, contracts, or cooperative agreements to appropriate entities or Exchanges.

“(4) **ACCESS TO MEDICATION ASSISTED THERAPY.**—

“(A) **REQUIREMENT.**—A qualified health plan shall provide coverage for more than one Food and Drug Administration-approved drug that is used in the medication-assisted treatment of addiction.

“(B) **NO LIFETIME LIMITS.**—A qualified health plan shall not establish a lifetime limit on the coverage of Food and Drug Administration-approved drugs used in the medication-assisted treatment of addiction.

“(C) **MEDICAL JUSTIFICATION FOR TREATMENT LIMITATIONS.**—Upon the request of an Exchange, a qualified health plan shall provide the medical justification for any treatment limitation on the coverage of drugs for medication-assisted treatment of addiction. If a qualified health plan requires prior authorization as a treatment limitation on the coverage of drugs for medication-assisted treatment of addiction, such plans shall utilize an automated, electronic means of obtaining prior authorization.

“(D) **GRANTS.**—The Secretary shall award grants, contracts, or cooperative agreements to support the establishment of a standardized system for electronic prior authorization for coverage of drugs for medication assisted treatment of addiction. For purposes of implementing this subparagraph, there is authorized to be appropriated, and there is appropriated, \$5,000,000 to enable the Secretary to award grants, contracts, or cooperative agreements to appropriate entities.”.

(b) **FULL REPEAL OF IMD EXCLUSION IN MEDICAID EXPANSION STATES.**—

(1) **IN GENERAL.**—The first sentence of section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(A) in subsection (a)(29), by inserting “and subsection (ee)”;

(B) by adding at the end the following:

“(ee) **NONAPPLICATION OF IMD EXCLUSION IN MEDICAID EXPANSION STATES.**—Beginning January 1, 2016, in the case of a State that makes medical assistance available pursuant to section 1902(a)(10)(A)(i)(VIII) to individuals described in such section—

“(1) the payments exclusion in subsection (a)(29)(B) shall not apply to the State; and

“(2) the following provisions shall be applied to the State as if ‘65 years of age or older’ and ‘65 years of age or over’ were struck from such provisions each place such phrases appear:

“(A) Paragraphs (20) and (21) of section 1902(a).

“(B) Subsection(a)(14).

“(C) Section 1919(d)(7)(B)(i)(I).”.

(c) **IMPROVING ACCESS TO ASSERTIVE COMMUNITY TREATMENT PROGRAMS FOR MEDICAID BENEFICIARIES.**—Effective January 1, 2016, section 1903(a)(3) of the Social Security Act (42 U.S.C. 1396a(a)(3)) is amended by inserting after subparagraph (F) the following:

“(G)(i) 90 percent of so much of the sums expended during such quarter as are attributable to payments made for items and services provided to individuals who are eligible for medical assistance under the State plan by Assertive Community Treatment (ACT) programs that provide integrated, evidence-